

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

<b>GERALD DEPRIEST,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Civil No. 15-cv-1056-CJP<sup>1</sup></b>
	)	
<b>CAROLYN W. COLVIN,</b>	)	
<b>Acting Commissioner of Social</b>	)	
<b>Security,</b>	)	
	)	
<b>Defendant.</b>	)	

**MEMORANDUM and ORDER**

**PROUD, Magistrate Judge:**

The matter before the Court is plaintiff's response to the Commissioner's motion to remand (Doc. 32).

Plaintiff requests that the Court remand this matter based on the legal matters set forth in his opening brief. These issues are whether the ALJ erred in forming her limitations regarding concentration, persistence, or pace; in assessing the opinion of the state agency reviewing physician; in determining plaintiff's capacity for detailed work; in assessing the available jobs in the region; in weighing the opinions of the treating physician; in considering the treating specialist's evidence; and in assessing plaintiff's claims of fatigue and his need to nap. Plaintiff suggests that if the Court does not remand on these issues that it should require the Commissioner to respond to plaintiff's brief.

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<sup>1</sup> This case was referred to the undersigned for final disposition upon consent of the parties, pursuant to 28 U.S.C. §636(c). See, Doc. 14.

In the interest of efficiency and the fairness to both parties, the Court directs the parties to confer and make a good faith attempt to stipulate as to what the ALJ should do differently on remand within the next twenty days.

The Clerk of Court is directed to reopen the case and reinstate the Commissioner's Motion to Remand (Doc. 29).

**IT IS SO ORDERED.**

**DATED: July 20, 2016.**

**s/ Clifford J. Proud**  
**CLIFFORD J. PROUD**  
**UNITED STATES MAGISTRATE JUDGE**